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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,626	03/15/2004	Ralph S. Norman	PNORMI	2931
7590	01/29/2008		EXAMINER	
Thompson E. Fehr Suite 300 Goldenwest Corporate Center 5025 Adams Avenue Ogden, UT 84403			ART UNIT	PAPER NUMBER

DATE MAILED: 01/29/2008

Please find below and/or attached an Office communication concerning this application or proceeding.

1. The Appeal Brief filed 11/1/07 is still defective for one of the same reasons set forth in the Notice of Non-Compliant Appeal Brief of 5/1/07. In the Notice, the Appellant was informed that the brief does not contain a concise explanation of the subject matter defined in each of the independent claims (See box 4 of the Notice). In response to the Notice Appellant submitted the Appeal Brief of 11/1/07, which still does not present a concise explanation of the subject matter in the form required. Specifically, Appellant does not cite to the specification by page and line number as required by 37 CFR 41.37(c)(1)(v). Appellant merely provided paragraphs copied from the specification marked by paragraph numbers. Therefore, the Appeal Brief of 11/1/07 is defective. The extension of the one month time period set forth in the Notice of Non-Compliant Appeal Brief of 5/1/07 has expired. Consequently, the appeal is dismissed. The dismissal results in the abandonment of the case since there were no allowed claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melody M. Burch whose telephone number is 571-272-7114. The examiner can normally be reached on Monday-Friday (6:30 AM-3:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Siconolfi can be reached on 571-272-7124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

mmb  
January 20, 2008

/Melody M. Burch/  
Primary Examiner, Art Unit 3683